



*California's protection and advocacy system*

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## **# 1 Fact Sheet on California's Budget Cuts to Benefits Programs – August 13, 2009**

### **Medi-Cal Services Cuts**

These changes have been made through California's budget process. They became effective on July 1, 2009.

#### **How the Law Changed**

Medi-Cal no longer pays for the benefits listed below for people age 21 and older. This change does not affect people who are under age 21. There are also some technical changes that we do not anticipate will have a direct impact on Medi-Cal beneficiaries.

#### **What benefits will Medi-Cal no longer pay for?**

Welfare and Institutions Code section 14131.10 states that Medi-Cal will no longer pay for the following benefits and services for most adults (there are some exceptions. See below):

- Dental services
- Speech therapy services
- Podiatric services
- Audiology services
- Chiropractic services
- Acupuncture services
- Optometric and optician services (ophthalmology [doctor services for the eyes] will continue to be covered)

- Psychology services (psychiatry services, and all services through county mental health programs will continued to be covered)
- Incontinence creams and washes.

### **Are There Any People Whose Benefits Will Not Change?**

Yes. The above Medi-Cal benefits and services will NOT change for people who are:

- Under the age of 21; or
- Living in a skilled nursing facility (Level A or B; this includes subacute care facilities); or
- Pregnant. (If you are pregnant, you can continue to receive pregnancy-related benefits and services. You can also receive other benefits and services listed above to treat conditions that, if left untreated, might cause difficulties for the pregnancy. This includes dental exams, cleanings, and gum treatment. Dental and other benefits and services may also be available up to 60 days after the baby is born;) or
- Receiving benefits through the California Children's Services program; or
- Receiving benefits through a Program of All-Inclusive Care for the Elderly.

### **If I do not meet the above exceptions, can I still receive some benefits?**

You can still receive some or all of the benefits that have been cut, including certain dental services, if you are:

- Receiving the services through the Genetically Handicapped Persons Program; or
- Receiving the benefits through the county mental health program; or
- Receiving the benefits through the Medicare Part B program; or
- Receiving the services directly from a physician.

You should contact your physician or dentist if you have any questions about these changes.

### **Are there any benefits and services listed above that I can still get if I do not meet the exceptions?**

**Yes:**

- You can receive the benefits and services listed above if an emergency condition occurs and the benefit is required to treat the emergency condition.
- Some medical and surgical services provided by a dentist will continue to be covered. Check with your dentist for more information.
- Some of these benefits and services may be provided in hospital outpatient clinics, Federally Qualified Health Centers, Rural Health Clinics, Indian Health Services, adult day health care centers, or through home health agencies. Check with your primary health care provider for a referral.
- Some of these benefits and services may be continued if you are currently receiving them or if you move from an exempt group, such as under 21 years of age, to a non-exempt group, such as turning 21 years of age. Check with your primary health care provider for more information.
- Your county health department may be able to provide you some of the benefits and services no longer covered by Medi-Cal.

**Where can I go for more information?**

Visit <http://www.dhcs.ca.gov/services/medi-cal/Pages/Benefits.aspx>

If you have more questions about these changes, you can also call the Medi-Cal Beneficiary Services Line at **1-888-284-0623**.

**Can I Ask for a Hearing if I Disagree with These Changes?**

You have a right to a fair hearing if you think the law is not being applied correctly to you. For example, if you think you still qualify for the services that have been cut because you meet one of the exceptions, but the county is still cutting your services, then you have a right to a fair hearing. Please contact Disability Rights California if you feel that these cuts will force you into an institution so that we may determine if we are able to assist you.

## **Have Any Lawsuits Been Filed?**

Advocates have filed a lawsuit in federal court to stop these cuts. The case number is C-09-02307 EMC, and, as of the date of this flier, was set for hearing on August 5, 2009 in the Northern District of California, before Judge Edward M. Chen. As more information becomes available about this lawsuit, Disability Rights California will post more information about this lawsuit on its website, [www.disabilityrightsca.org](http://www.disabilityrightsca.org).